

USDC SDNY
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ELECTRONICALLY FILED
DOC #:
DATE FILED: 10/11/2018

MEMO ENDORSED

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

2018 OCT 11 AM 9:06

UNITED STATES OF AMERICA,

-versus-

VLADIMIR TSASTSIN,

Defendant.

S1 11 Cr. 878 (LAK)

VLADIMIR TSASTSIN,

Petitioner

-versus-

UNITED STATES OF AMERICA,

Respondent.

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18 Civ. 5975 (LAK)

Attorney-Client Privilege Waiver (Informed Consent)

To: VLADIMIR TSASTSIN

You have made a motion under Section 2255 of Title 28, United States Code, to have your conviction set aside on the ground that you received ineffective assistance from your former lawyer, Arkady Bukh, Esq. and Charles Kaser, Esq. (referred to in this form as "your former attorneys"). The court has reviewed your papers and determined that it needs to have a sworn testimonial statement from Counsel in order to evaluate your motion.

By making this motion, you have waived the attorney-client privilege you had with your former attorney to the extent relevant to determining your claim. This means that if you wish to press your claim of ineffective assistance, you cannot keep the communications between yourself and your former attorney a secret—you must allow them to be disclosed to the Government and to the Court pursuant to court order. The court has already issued an Order (copy attached) ordering your former attorney to give such testimony, in the form of an affidavit. This Informed Consent form is designed to ensure that you fully understand and agree to this.

Specifically, if you wish to proceed with your motion to set aside your conviction on the basis that you received ineffective assistance of counsel, you must sign this statement and return it to the court in the attached envelope (keeping a copy for your records). The form constitutes your authorization to your former attorney to disclose confidential communications (1) only in response to a court order and (2) only to the extent necessary to shed light on the allegations of ineffective assistance of counsel that are raised by your motion.

The government shall respond
to the 2255 on or before December
13, 2018. Plaintiff shall reply
at all, no later than 1/13/19
by [Signature] 10/18/18